

RE: Broadcast flag with digital television broadcasts

To whom it may concern,

As a consumer I obey the laws regarding copyrights and have never copied and sold motion pictures or any kind of digital content. I truly believe use of the broadcast flag as it is now being proposed will further limit my fair use rights. As a consumer of digital content, I have a grave concern about the proposed Broadcast Flag.

I think a great example of the loss of fair use rights can be found in the DVD industry already. The use of Macrovision limits the ability of law-abiding consumers like me to make my own personal VHS copy of a DVD I purchase. The reason I would make these copies is mainly for our children. I have a DVD player at home but in our automobile I have a nine inch TV with a VCR built in. I would like to only by the DVD copy of a program and then make a single copy on a VHS tape so my children can also view the same program while we are on the road. Because of Macrovision, I cannot make copies unless I, 1)go to the store and buy a machine that makes copies from DVD to VHS (CopyMaster), 2)go and purchase the VHS version of the exact same program I already have on DVD, 3) buy another DVD for the automobile. This is severely limiting my fair use rights and I believe the broadcast flag will be doing the exact same thing. Not allowing consumers to view digital broadcasts on their existing equipment. It will require consumers to go out and purchase special equipment to cover all their viewing needs. This is unfair, especially to law-abiding citizens.

The really sad part in this example is that copying DVD to VHS already degrades the digital copy of the original. But this wasn't good enough for the MPAA. The same will be true of consumers who want to make copies of digital TV broadcast so that they can be used by older mediums such as the TV-VCR some people have in their automobiles.

The broadcast flag in digital TV will not eliminate piracy, it will only further erode fair use rights of law abiding consumers. I strongly urge the FCC to not approve use of the broadcast flag.